

DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS)
ADMINISTRATION FOR CHILDREN AND FAMILIES (ACF)
ADMINISTRATION ON DEVELOPMENTAL DISABILITIES (ADD)
VOTING ACCESS FOR INDIVIDUALS WITH DIABILITIES (VOTE)

FY 2004TERMS AND CONDITIONS

This award is subject to the following terms and conditions:

1. Grantees must carry out the grant in accordance with the state application and assurances as approved by ACF and the Help America Vote Act, title II Subtitle D, part 2 for the duration of the award.
2. Grantees must submit An annual **Narrative Report to the Administration on Developmental Disabilities, 200 Independence Avenue, SW, Room 405-D, Washington, D.C. 20201** (The first report is due March 31, 2005). This report must describe how the funds are used in regard to the four categories of activities authorized under the Help America Vote Act. ** this is a different address from FY 2003) **
3. **Grantees must submit an original Financial Status Report (SF-269)** to the Administration for Children and Families, Office of Administration, Division of Grants Management, 370 L'Enfant Promenade, SW, Washington D.C. 20447, on **an annual basis** (The first report is due December 31st 2004). ** Different date than FY 2003 **
4. Failure to submit reports (i.e financial, program, or other required reports) on time may be basis for withholding financial payments, suspension or termination.
5. **Federal funds are available until expended. A SF-269 (due December 31st) and the annual narrative (due March 31st) are due each year until funds are expended. ** These date are different than FY 2003 ****
6. None of the funds provided under the enclosed Notice of Grant Award may be used by you or any subgrantee under the grant to support lobbying activities to influence proposed or pending Federal or State legislation or appropriations. This prohibition relates to the use of Federal Grant funds and is not intended to affect your right, or that of any other organization, to petition congress, or any other level of government, through the use of other resources (see 45 CFR Part 93).
7. All of the proceeds realized by State agencies that meet the criteria of 45 CFR 92.25(b) must be classified and treated as program. General program income may be used in accordance with one or a combination of the alternatives outlined in 45 CFR 92.25(g) (deduction; addition; or cost sharing or matching alternative).

All program income must be reported on the SF-269 and must be used to further the overall objectives of the program.
8. The expenditure of funds under this program is subject to the audit requirements under the Single Audit Act of 1984 {Public Law 98-502) and the Office of Management and Budget Circular A-133.
9. As stated in Section 507 of Public Law 103-333 it is the sense of Congress that, to the extent practicable, all equipment and products purchased with funds made available in this Act should **be American Made.**

10. As stated in Section 508 of Public Law 103-333, when issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal fund, including but not limited to State and local governments and recipients of federal research grants, shall clearly state (1) the percentage of the total costs of the program or project which will be financed with federal money, (2) the dollar amount of Federal funds for the project or program, and (3) percentage and dollar amount of the total costs of the project or program that will be financed by nongovernmental sources.

11. Grantees must comply with Public Law 103-227, Part C - **Environmental Tobacco Smoke**, also known as the Pro-Children Act of 1994 (Act). This Act requires that smoking not be permitted in any portion of any indoor facility owned or leased or contracted by an entity and used routinely or regularly for the provision of health, day care, education or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments. Federal programs include grants, cooperative agreements, loans or loan guarantees, and contracts. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug and alcohol treatment.

The grantee further agrees that the above language will be included in any subawards which contain provisions for children's services and that all subgrantees shall certify compliance accordingly. Failure to comply with the provisions of this law may result in the imposition of a civil monetary penalty of up to \$1000 a day.

12. OMB Circular A-87 - Cost Principles for State and Local Governments is applicable

13. DHHS regulations codified in Title 45 of the Code of Federal Regulations are applicable:

- Part 16 - Department Grant Appeals Board
- Part 30 - Claims Collection
- Part 76 - Debarment and Suspension from Eligibility for Financial Assistance
 - Subpart F. Drug Free Workplace
- Part 80 - Nondiscrimination Under Programs receiving Federal Assistance Through the Department Health and Human Services - Effectuation of Title VI of the Civil Rights Act of 1964
- Part 81 - Practice and Procedure for Hearings Act under Part 80 of this title
- Part 84 - Nondiscrimination on the Basis of Handicap
- Part 91 - Nondiscrimination on the Basis of Age
- Part 92 - Uniform Administrative Requirements for Grants or Cooperative Agreements to State and local Governments.
- Part 93 - New Restrictions on Lobbying
- Part 100- Intergovernmental Review of Department Human Services programs and activities.

14. Drawdown of funds from the Payment Management Systems - In accordance with public Law 101-510, grant funds must be drawn down within 5 years from the year in which the funds were awarded, i.e., FY 2004 funds must be drawn down no later than 9/30/2008. Requests for adjustments/revisions to the Payment Management System account after that date will not be honored. Note: FY 2004 EAID funds must be drawn down prior to 9/30/2009.

15. The U.S. General Accounting Office maintains a toll free telephone number, (800)424-5454, for receiving information concerning fraud, waste or abuse under grants and cooperative agreements. Such reports are kept confidential and callers may decline to give their names if they choose to remain anonymous.